

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

JUAN CARLOS LEON-HERRERA,

Plaintiff,

vs.

BAR-S FOODS CO. D/B/A SIGMA-FOODS
AND JORGE ZUNIGA ISAIS D/B/A
RVJ TRANSPORT,

Defendants.

NO. 2:24-CV-00153-MIS-GJF

DEFENDANT JORGE ZUNIGA ISAIS D/B/A RVJ TRANSPORT'S
REPLY IN SUPPORT OF DEFENDANT'S MOTION TO
DEEM REQUESTS FOR ADMISSION ADMITTED

COMES NOW Defendant Jorge Zuniga Isaais d/b/a RVJ Transport (hereinafter “RVJ” or “Defendant”), by and through his attorneys, Jones, Skelton & Hochuli, P.L.C. (Raúl P. Sedillo and Sky Willard), and submits his Reply in Support of his Motion to Deem Requests for Admission Admitted.

Defendant filed his Motion to Deem Requests for Admission Admitted (“Motion”) on October 23, 2024. [Doc. 39] Plaintiff’s Response was due November 6, 2024. *See* D.N.M.LR-Civ 7.4(a) (“A response must be served and filed within fourteen (14) calendar days after service of the motion.”). Although Plaintiff stated he was opposed to Defendant’s Motion [Doc. 39, footnote 1], Plaintiff did not file a Response nor request an extension of time to file a Response. Plaintiff has therefore consented to granting Defendant’s Motion. *See* D.N.M.LR-Civ 7.1(b) (“The failure to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.”). Defendant respectfully requests this Court enter an

Order striking Plaintiff's objections to Defendant's Requests for Admission and deeming all of Defendant's Requests for Admission as admitted.

Respectfully submitted,

/s/ Sky Willard

Raúl P. Sedillo

Sky Willard

Jones, Skelton & Hochuli, P.L.C.

8220 San Pedro Dr NE, Suite 420

Albuquerque, New Mexico 87113

Telephone: (505) 339-3500

Facsimile: (505) 339-3200

E-mail: rsedillo@jshfirm.com

swillard@jshfirm.com

Attorneys for Defendant Jorge Zuniga Isais

d/b/a RVJ Transport

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November, 2024, I filed the foregoing electronically through the CM/ECF system, which caused the parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

Jason F. DeSouza
Jorge L. Alvarez
DESOUZA INJURY LAWYERS
4047 Naco Perrin Blvd. Suite 100
San Antonio, Texas 78230
Tel: (210) 714-4215
Fax: (210) 496-0060
jason@jfdlawfirm.com
jorge@jfdlawfirm.com
Attorneys for Plaintiff

Judd C. West
Julia Broggi
HOLLAND & HART LLP
110 North Guadalupe, Suite 1
Santa Fe, New Mexico 87501
Tel: (505) 988-4421
jcwest@hollandhart.com
jbroggi@hollandhart.com
Attorneys for Defendant Sygma Network, Inc.

Brian J. Fisher
J. Ashley Cummings
MAYER LLP
4101 Indian School Rd NE, Suite 301N
Albuquerque, NM 87110
Tel: (505) 483-1840
BFisher@mayerllp.com
ACummings@mayerllp.com
Attorneys for Defendant Custom Pro Logistics, LLC

/s/ Sky Willard
Sky Willard